

Travis N. Barrick, SBN 9257
GALLIAN WELKER
& BECKSTROM, LC
540 E. St. Louis Avenue
Las Vegas, Nevada 89104
Telephone: (702) 892-3500
Facsimile: (702) 386-1946
tbarrick@vegascase.com
Attorneys for Plaintiff Robert C. Martinez

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ROBERT C. MARTINEZ, an individual;

Plaintiff,

v.

RENEE BAKER, et al.,

Defendants.

Case No.: 2:16-cv-01546-JAD-NJK

**STIPULATION AND ORDER TO
EXTEND DISPOSITIVE MOTION
RESPONSE DEADLINE
(THIRD REQUEST)**

Plaintiff, Robert Martinez (“Mr. Martinez”), by and through his attorneys of the law firm of GALLIAN WELKER & BECKSTROM, LC, and Defendants Adam Paul Laxalt, Barbara Cegavske, Harold Byrne, James Cox, Jacob Parr, John Oxborrow, Renee Baker, Brian Sandoval, Joshua Miller, Michael Fletcher, Cameron Horsley, Pamela Del Porto, Walter Romero, State of Nevada ex rel. Board of Prison Commissioners, and State of Nevada ex rel. Nevada Department of Corrections, by and through counsel, Adam Paul Laxalt, Nevada Attorney General, Jared Frost, Senior Deputy Attorney General, and Tiffany Breinig, Deputy Attorney General, hereby submit their stipulation to a thirty (30) day extension of the 12/7/17 deadline to respond to dispositive motions.

1 A second stipulation to extend the dispositive motion deadline in this case was
2 filed by the parties on 10/24/17 (ECF No. 71) and granted by this court on 10/25/17,
3 making the dispositive motion deadline 11/16/17 in this case. (ECF No. 72). The basis for
4 the request was that the parties were engaged in fruitful settlement discussions that
5 might negate the need for further litigation in this case. The court established that the
6 joint pretrial order is due 30 days after its decision on the dispositive motion. (Id. at 4).
7

8 On 11/16/17, Defendants filed their motion for summary judgment to meet the
9 new dispositive motion deadline. (ECF No. 73). The deadline for plaintiff to respond is
10 21 days, 12/7/17. However, settlement discussions are ongoing between the parties, and
11 it appears that settlement in this case is highly likely by the end of this month
12 (December 2017).
13

14 To that end, the parties stipulate to a 30-day extension of the deadline to respond
15 to Defendants' motion for summary judgment to and until, January 6, 2018. Such an
16 extension should not affect any other deadlines in this case since the joint pretrial order
17 is not due until 30 days after this court's decision on the dispositive motion.
18

19 Based on the foregoing, the parties request that this Court grant the stipulation
20 for an extension of the deadline to respond to Defendants' dispositive motion as set
21 forth above.
22

23 DATED this 6th day of December 2017.

24 By: /s/ Travis N. Barrick
25 Travis N. Barrick, Esq., 9257
26 Nevada Bar No. 9257
27 GALLIAN WELKER & BECKSTROM, LC
28 Las Vegas, NV 89140
Attorneys for Plaintiff Robert
Martinez

DATED this 7th day of December 2017.

By: /s/ Jared M. Frost
Jared M. Frost, Esq. 11132
Office of the Attorney General
555 E. Washington Ave., Ste. 3900
Las Vegas, Nevada 89101
Attorneys for Defendants

Case No.: 2:16-cv-01546-JAD-NJK

SO ORDERED. In the event this case does not settle, the plaintiff shall have until January 6, 2018, to file a response to Defendants' motion for summary judgment. The parties shall file a joint pretrial order within thirty (30) days after the Court issues a ruling on the motion for summary judgment.

Dated: December 14, 2017.


UNITED STATES DISTRICT JUDGE